



Patent Technology Centers

Facsimile Transmission

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37 C.F.R. 1.6 sets forth the types of correspondence that can be communicated to the Patent and Trademark Office via facsimile transmissions. Applicants are advised to use the certificate of facsimile transmission procedures when submitting a reply to a non-final or final Office action by facsimile (37 CFR 1.8(a)).

Fax Notes:

Please review and reply to the proposed Examiner's Amendment as soon as possible.

Date and time of transmission: Friday, September 16, 2005 4:12:30 PM
Number of pages including this cover sheet: 04

Election/Restriction

1. This application contains claims directed to the following patentably distinct species of the claimed invention: a pneumatic radial tire whose bead core has a central core made from either steel or a metal alloy material having a weight less than steel or a composite or synthetic material having a weight less than steel (specification paragraph 0050).

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. During a telephone conversation with Nancy Krawczyk on September 9, 2005 a provisional election was made with traverse to prosecute the invention of the species wherein the bead core

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central core is made from composite or synthetic material having a weight less than steel, claim 10.

Affirmation of this election must be made by applicant in replying to this Office action. Claims 1, 2, and 4-9 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Examiner's Amendment

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with *** on ***.

The application has been amended as follows:

In the claims

non-elected claims 1 and 3-9 have been cancelled;

claim 10 has been rewritten to distinguish over the prior art of record as --

10. (currently amended) A pneumatic radial tire having a bead portion provided therein with a cable bead core formed by a plurality of layers of sheath cords helically or spirally wrapping [wires enveloping] a central core, wherein [characterized in that]:

[the sheath has a plurality of steel cords,] each cord is a steel cord having at least three filaments, and the central core is made from a composite or synthetic material having a weight less than steel.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adrienne C. Johnstone whose telephone number is (571) 272-1218. The examiner can normally be reached on Monday-Friday, 10:30AM-7:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Dunn can be reached on (571) 272-1171. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Adrienne C. Johnstone
Primary Examiner
Art Unit 1733

Adrienne Johnstone

September 16, 2005